

NEW SECTION

WAC 220-12-005 Request for classification of nonnative aquatic animal species. Any person requesting classification of a nonnative aquatic animal species as a food fish, game fish, or shellfish must follow the procedure for request for designation prior to approval for release in WAC 232-12-016(1).

NEW SECTION

WAC 220-12-090 Classification-Nonnative aquatic animal species. (1) Prohibited aquatic animal species. The following species are classified as prohibited aquatic animal species:

- (a) Amphibians:
 - (i) Family Pipidae: African clawed frog, *Xenopus laevis*.
 - (ii) Family Ranidae: Bull frog, *Rana catesbeiana*.
- (b) Crustaceans:
 - (i) Family Cercopagidae:
 - (A) Fish hook water flea, *Cercopagis pengoi*.
 - (B) Spiny water flea, *Bythotrephes cederstroemi*.
 - (ii) Family Grapsidae: Mitten crabs: All members of the genus *Erochier*.
 - (iii) Family Cambaridae:
 - (A) Red swamp crawfish, *Procambarus clarkii*.
 - (B) Rusty crawfish, *Orconectes rusticus*.
 - (iv) Family Portunidae: European green crab, *Carcinus maenas*.
- (c) Fish:
 - (i) Family Amiidae: Bowfin, grinnel, or mudfish, *Amia calva*.
 - (ii) Family Channidae: China fish, snakeheads: All members of the genus *Channa*.
 - (iii) Family Characidae: Piranha: All members of the genera *Pygocentrus*, *Rooseveltia*, and *Serrasalmus*.
 - (iv) Family Clariidae: Walking catfish: All members of the family.
 - (v) Family Cyprinidae:
 - (A) Fathead minnow, *Pimephales promelas*.
 - (B) Grass carp (in the diploid form), *Ctenopharyngodon idella*.
 - (C) Ide, silver orfe or golden orfe, *Leuciscus idus*.
 - (D) Rudd, *Scardinius erythrophthalmus*.
 - (vi) Family Gobiidae: Round goby, *Neogobius melanostomus*.
 - (vii) Family Esocidae: Northern pike, *Esox lucius*.
 - (viii) Family Lepiosteidae: Gar-pikes: All members of the

family.

(d) Mammals:

Family Myocastoridae: Nutria, *Myocastor coypu*.

(e) Molluscs:

(i) Family Dreissenidae: Zebra mussels: All members of the genus *Dreissena* and all species known as quagga.

(ii) Family Gastropoda: New Zealand mud snail, *Potamopyrgus antipodarum*.

(2) Regulated aquatic animal species. The following species are classified as regulated aquatic animal species:

(a) Crustaceans:

All nonnative crustaceans classified as shellfish.

(b) Fish:

(i) All nonnative fish classified as food fish and game fish.

(ii) Family Cichlidae: Tilapia: All members of the genera *Tilapia*, *Oreochromis*, and *Sarotherodon*.

(iii) Family Clupeidae: Alewife, *Alosa pseudoharengus*.

(iv) Family Cyprinidae:

(A) Common carp, koi, *Cyprinus carpio*.

(B) Goldfish, *Carassius auratus*.

(C) Tench, *Tinca tinca*.

(D) Grass carp (in the triploid form), *Ctenopharyngodon idella*.

(v) Family Poeciliidae: Mosquito fish, *Gambusia affinis*.

(c) Molluscs:

(i) All nonnative molluscs classified as shellfish.

(ii) Family Psammobiidae: Mahogany clam or purple varnish clam, *Nuttallia obscurata*.

(3) Unregulated aquatic animal species. The following species are classified as unregulated aquatic animal species: None.

NEW SECTION

WAC 232-12-016 Nonnative aquatic species. The following provisions apply to nonnative aquatic species:

(1) Request for designation of unlisted aquatic animal species prior to release. Unlisted nonnative aquatic animal species must be reviewed and designated for classification by the commission as either regulated aquatic animal species or unregulated aquatic animal species prior to approval for release into state waters. A request for classification of an unlisted nonnative aquatic animal species shall be treated as a petition to amend WAC 220-12-090, and made on the OFM-01 form. Upon receipt of a petition, the department shall initially classify the species as a prohibited species until the review is complete. In addition to the OFM-01 form, a person requesting classification must provide the following information in order to present a complete request for designation for classification:

(a) Common and scientific name, reason for release, source of the animals proposed for release, and number of animals proposed for release.

(b) Native range of the species, assessment of potential positive and negative impacts of the release, citation of available scientific literature on release of the species in other nonnative locales, known potential for displacement of native species, hybridization with or predation upon native species, and disease or parasite transmission.

(c) Estimate of technical and economic feasibility of eradicating or controlling spread of the species once it is introduced into state waters.

(2) Provisions applying to prohibited aquatic animal species.

(a) Zebra mussels: It is unlawful to import live aquatic organisms, including plants, for release into state waters from any state or Canadian province east of the Continental Divide without each importation being accompanied by a zebra mussel-free certificate issued by the department and signed by the supplier of the aquatic organisms. The original receiver in the state of Washington of the shipment of aquatic organisms is required to retain the zebra mussel-free certificate for two years. Secondary receivers, while in possession of live aquatic organisms, are required to retain invoices or other records

showing who was the original receiver.

(b) Scientific research or display: The director may authorize, by prior written permit, a person to possess prohibited aquatic animal species for scientific research or display, provided:

(i) Specimens are confined to a secure facility, defined as an enclosure that will prevent the escape or release of prohibited aquatic animal species into a natural watercourse, and specimens are inaccessible to wildlife or other animals that could transport prohibited aquatic animal species.

(ii) Specimens are not transferred to any other facility without written approval by the director or designee.

(iii) All zebra mussels are incinerated or chemically preserved at the conclusion of the project, and the enclosure, holding waters and all equipment are disinfected. All other prohibited aquatic animal species must be killed at the conclusion of the project and either chemically preserved or disposed of in a landfill.

(iv) The permittee provides an annual report to the department, no later than January 31 of the following year, on a form provided by the department, describing the number, size and location of prohibited aquatic animal species enclosures and general nature of the research.

(c) Monitoring and control programs: The director may authorize persons working within the scope and supervision of a department-sponsored monitoring and control program to capture, possess and destroy prohibited aquatic animal species, provided:

(i) The persons have completed a mandatory training program and are certified by the department;

(ii) The persons have a permit authorized by the director or designee in possession;

(iii) All prohibited aquatic animal species are disposed of in accordance with the monitoring and control program; and

(iv) Participants submit a report to the department within thirty days of any monitoring or control activity in accordance with the specifications outlined in the monitoring and control program.

(d) Capture of prohibited species in state waters. Prohibited aquatic animal species that are captured in state waters and not immediately returned to the water from which they were captured must be killed before removing the prohibited aquatic animal species from within the riparian perimeter of the body of water.

(e) Prohibited aquatic animals held in commercial and personal possession prior to classification. A person who possessed a prohibited aquatic animal species prior to the time the species was classified as prohibited may continue to hold the animal or animals for the life of the animals, provided:

(i) The person must maintain proof of possession prior to the classification.

(ii) The animals may not be transferred to another owner within the state.

(iii) The person must comply with all provisions of this section.

(iv) The animals must be prevented from reproducing, or if prevention is impracticable, the progeny must be destroyed.

(3) Infested waters.

(a) The following bodies of waters are infested with invasive aquatic plants or prohibited aquatic animal species. In these waters:

(i) It is unlawful to use aquatic animals from these waters for bait in the infested waters or any other waters.

(ii) All aquatic vegetation must be removed from lines, nets, motors, and all other equipment when the equipment is removed from the infested waters.

(iii) It is unlawful to transport water from these bodies of water, and bait containers, live wells, and bilges must be emptied before leaving the riparian perimeter of the body of water, except:

(A) Water may be transported in emergencies, such as a fire emergency.

(B) Water may be withdrawn and used under a water appropriation or public waters work permit issued by the department of ecology.

(b) List of infested waters:

Adams County: Herman lake.

Chelan County: Chelan, Fish, Roses and Wapato lakes.

Clallam County: Sutherland Lake.

Clark County: Battleground, and Lacamas lakes, Caterpillar Slough, Lake River.

Columbia, Franklin and Walla Walla counties: Herbert G. West Lake.

Cowlitz County: Kress and Silver lakes, Soho and Willow Grove sloughs.

Franklin County: Kahlotus and Sacajawea lakes, Scootenev Reservoir.

Grant County: Babcock Ridge, Billy Clapp, Burke, Caliche, Canal, Corral, Corral Southwest, Moses, Priest Rapids, Quincy, Stan Coffin and Warden lakes, unnamed potholes at Dodson Frenchman and Frenchman Hills Nos. 1 through 4, Evergreen and Potholes reservoirs, Rocky Ford Creek and Winchester Wasteway.

Grays Harbor County: Duck Lake.

Island County: Lone Lake.

Jefferson County: Leland Lake.

King County: Alice, Desire, Geneva, Killarney, Meridian, Pine, Pipe, Sawyer, Spring, Steel, and Washington lakes.

Kitsap County: Buck, Long, Mission, Square, and Wye lakes.

Kittitas County: Lavendar and Matton lakes.

Klickitat County: Celilo, Horsethief, and Spearfish lakes, Columbia River.

Lewis County: Mayfield and Plummer lakes, Swofford Pond, Chehalis River.

Mason County: Isabella, Island, Limerick, Mason and Spencer lakes.

Okanagon County: Conconully, Palmer, Pearrygin, and Whitestone lakes.

Pacific County: Black and Loomis lakes.

Pend Oreille County: Davis, Fan, Mashall, and Sacheel lakes, Pend Oreille River.

Pierce County: Bay, Clear, Harts, Kapowsin, Ohop, Spanaway, Tanwax, Tapps, and Whitman lakes.

Skagit County: Big, Campbell, Clear, Erie, McMurray, and Sixteen lakes.

Skamania County: Drano Lake.

Snohomish County: Roesiger and Shoecraft lakes.

Spokane County: Eloika, Liberty, and Silver lakes.

Stevens County: Loon and Waitts lakes.

Thurston County: Hicks, Long, and Munn lakes, Black River.

Wahkiakum County: Columbia River and Brooks Slough.

Whatcom County: Silver, Terrell and Whatcom lakes.

Whitman County: Bryan and Lower Granite lakes.

Yakima County: Myron Lake, unnamed ponds at 12N _ 19E _ 20, Yakima River.

(4) Aquaculture provisions. It is unlawful to fail to comply with the following provisions regarding aquaculture and waters containing prohibited aquatic animal species or invasive aquatic plant species.

(a) When a natural body of water is designated as infested, ongoing aquaculture operations in that body of water are restricted from transferring product, equipment or associated materials until such time as the operator of the aquaculture operation submits to the department a plan to prevent the spread of invasive aquatic plants and prohibited aquatic animal species, and has received approval from the department of such plan.

(b) Artificial water basins found to be infested with prohibited aquatic animal species are required to have the water sterilized before continuing aquaculture operations, and any private sector cultured products in such waters must be killed before sale or transfer.

(c) By permit from the department, water from bodies of water infested with invasive aquatic plants may be used in artificial water basins for aquaculture, provided that the water is treated to eliminate invasive aquatic plants prior to use.

(5) Violations of this section involving invasive aquatic animal species is punishable under RCW 77.15. . . . (section 4, chapter 281, Laws of 2002).

(6) Violations of this section involving invasive aquatic plants is punishable under RCW 77.15.290.

AMENDATORY SECTION (Amending Order 99-19, filed 3/29/99, effective 4/29/99)

WAC 232-12-017 Deleterious exotic wildlife. (1) The following animals are hereby designated as deleterious exotic wildlife:

- (a) ~~((Fish~~
 - ~~(i) In the family Clariidae, (walking catfish) all members of the family.~~
 - ~~(ii) In the family Cyprinidae, (diploid grass carp,) *Ctenopharyngodon idella*~~
 - ~~(iii) In the family Amiidae, (bowfin, mudfish or grinnel) *Amia calva*~~
 - ~~(iv) In the family Characidae, the piranha (also pirameba, earibe, pira, piraya, chupita, rodoleira, palometa), all species of the genera Serrasalmus, Rooseveltiella and Pygocentrus~~
 - ~~(v) In the family Cyprinidae, the rudd (*Scardinius erythrophthalmus*) and Ide (silver orfe or golden orfe (*Leuciscus idus*))~~
 - ~~(vi) In the family Lepiosteidae, the gar-pikes~~
 - ~~(vii) In the family Channidae, the snakeheads (China fish) and all forms of the genus Channa (*Ophicephalus*)~~
- ~~(b) Amphibians~~
 - ~~(i) In the family Pipidae, the African clawed frog (*Xenopus laevis*)~~
- ~~(c))~~ Birds
 - ~~((i))~~ In the family Anatidae, the mute swan (*Cygnus olor*)
- ~~((d))~~ (b) Mammals
 - (i) In the family Viverridae, the mongoose (all members of the genus *Herpestes*)
 - (ii) In the family Suidae, the wild boar (*Sus scrofa* and all wild hybrids)
 - (iii) In the family Tayassuidae, the collared peccary (javelina) (*Tayassu tajacu*)
 - (iv) In the family Bovidae, all members and hybrids of the following genera: *Rupicapra* (Chamois); *Hemitragus* (Tahr); *Capra* (goats, ibexes except domestic goat *Capra hircus*); *Ammotragus* (Barbary sheep or Aoudad); *Ovis* (sheep), except domestic sheep *Ovis aries*; *Damaliscus* (Sassabies); *Alcelaphus buselaphus* (Hartebeest); *Connochaetes* (Wildebeests).
 - (v) In the family Cervidae, the European red deer (*Cervus elaphus elaphus*), all nonnative subspecies of *Cervus elaphus*, and all hybrids with North American elk; Fallow deer (*Dama dama*), Axis deer (*Axix axis*), Rusa deer or Sambar deer (*Cervus unicolor*, *Cervus timorensis*, *Cervus mariannus* and *Cervus*

alfredi), Sika deer (*Cervus Nippon*), Reindeer (all members of the Genus *Rangifer* except *Rangifer tarandus caribou*), and Roedeer (all members of the Genus *Capreolus*).

(2) It is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of deleterious exotic wildlife, their gametes and/or embryo, except as provided under (3), (4), (5), (6), or (7) below and as provided in WAC 232-12-01701.

(3) Scientific research or display: The director may authorize, by written approval, a person to import into the state, hold, possess, and propagate live specimens of deleterious exotic wildlife for scientific research or for display by zoos or aquariums who are accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA) provided:

(a) The specimens are confined to a secure facility,

(b) The specimens will not be transferred to any other location within the state, except to other AAZPA accredited facilities with written director approval or as otherwise authorized in writing by the director,

(c) The specimens will be euthanized and all parts incinerated at the end of the project, except federally listed endangered or threatened species may be retained or transferred where in compliance with federal law,

(d) The person will keep such records on the specimens and make such reports as the director may require, and

(e) The person complies with other requirements of this section.

(4) Retention or disposal of existing specimens lawfully in captivity:

(a) Specimens lawfully in captivity prior to January 18, 1991: A person holding exotic wildlife specimens in captivity which were classified by the wildlife commission as deleterious exotic wildlife on or before January 18, 1991 may retain the specimens of such deleterious exotic wildlife such person lawfully possessed prior to January 18, 1991 provided such person complies with subsections (4)(c) through (4)(h) hereunder and the other requirements of this section:

(b) Specimens lawfully in captivity prior to June 20, 1992: A person holding the following deleterious exotic wildlife specimens in captivity which were classified by the wildlife commission as deleterious exotic wildlife by operation of emergency rule filed June 19, 1992 (in the family Bovidae, Sassebies (all member of the Genus *Damaliscus*), Hartebeest (*Alcelaphus buselaphus*), Wildebeests (all members of the Genus *Connochaetes*), Markhor (*Capra falconeri*), and Marcopolo sheep (*Ovis ammon*); in the family Cervidae, Fallow deer (*Dama dama*), Axis deer (*Axis axis*), Sika deer (*Cervus Nippon*), Rusa deer or Sambar deer (*Cervus unicolor*, *Cervus timorensis*, *Cervus mariannus* and *Cervus alfredi*)), may retain the specimens of such

deleterious exotic wildlife such person lawfully possessed prior to June 20, 1992, and the lawful progeny thereof provided such person complies with subsections (4)(c) through (4)(h) hereunder and the other requirements of this section and except as provided under subsection (7).

(c) The person reported to the director in writing the species, number and location of the specimens as required.

(d) The specimens are confined to a secure facility at the location reported,

(e) Live specimens are not propagated, except at AAZPA accredited facilities with the written permission of the director or as otherwise authorized in writing by the director,

(f) Live specimens shall be neutered, physically separated by sex, and/or rendered infertile by means of contraception, except at AAZPA accredited facilities with the written permission of the director,

(g) Live specimens are not released,

(h) Live specimens are not sold or transferred except:

(i) Live specimens in lawful possession may be permanently removed from the state of Washington or transported directly to slaughter where in accordance with other applicable law,

(ii) Federally listed endangered or threatened species may be transferred to AAZPA accredited facilities where in compliance with federal law,

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided all other requirements are satisfied and the total number of locations where animals are held is not increased.

(iv) AAZPA facilities may sell and/or transfer live specimens within the state with the written permission of the director.

(5) Retention or disposal of existing specimens lawfully in captivity prior to February 13, 1993: A person holding exotic wildlife specimens in captivity which are newly classified by the Wildlife Commission as deleterious exotic wildlife by operation of this rule (Reindeer (all members of the Genus Rangifer, except Rangifer tarandus caribou), and Roedeer (all members of the Genus Capreolus)), may retain the specimens of such deleterious exotic wildlife such person lawfully possessed prior to February 13, 1993, provided:

(a) The person reports to the director in writing by March 31, 1993, and reports annually thereafter, or as otherwise required by the director, the species, number, and location of such specimens,

(b) The person complies with subsections (4)(d) through (4)(h) herein and the other requirements of this section.

(6) The provisions of this section shall not prohibit the importation, possession, propagation, sale, transfer, or release of live specimens of federally listed threatened or endangered

species, their gametes and/or embryo, where in compliance with federal law.

(7) Notwithstanding the provisions of subsection (2), Fallow deer (*Dama dama*) and reindeer (all members of the Genus *Rangifer*, except *Rangifer tarandus caribou*) may be imported into the state, held, possessed, propagated, offered for sale, sold, and/or transferred provided:

(a) The person complies with subsection (4)(c) through (4)(g) hereunder and the other requirements of this section, except for subsections (4)(e), (4)(f), and (4)(h), and

(b) The person complies with department of agriculture WAC 16-54-035 as now or hereafter amended except:

(i) Animals which have resided at any time east of a line drawn through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and the 100th Meridian where it passes through Texas or have had contact with or shared common ground with animals which have resided at any time east of such line shall not be imported into the state of Washington, unless specifically authorized in writing by the directors of the department of agriculture and the department of wildlife.

(c) No specimens affected with any infectious or communicable disease shall be imported into the state unless in compliance with all applicable laws and regulations and unless written permission is obtained from the directors of the department of agriculture and the department of wildlife.

(d) The specimens are confined to a secure facility.

(e) Reindeer may not be imported into, held, or possessed in Ferry, Stevens, or Pend Oreille counties or that portion of Spokane County north of Spokane River.

(8) Escaped animals

(a) Escaped deleterious exotic wildlife, including Fallow deer (*Dama dama*), and Reindeer (all members of the Genus *Rangifer*, except *Rangifer tarandus caribou*) will be considered a public nuisance. The department or any peace officer may seize, capture, or destroy deleterious exotic wildlife that have escaped the possessor's control. The former possessor shall be responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(b) Escapes of deleterious exotic wildlife must be reported immediately to the department.

(c) The recapture or death of escaped deleterious exotic wildlife must be reported immediately to the department.

(9) Secure facility

(a) All deleterious exotic wildlife will be held in a secure facility. For the purpose of this rule, a secure facility is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of deleterious exotic wildlife specimens or ingress of resident wildlife ungulates (hoofed animals). The adequacy of the

facility shall be determined by the director or agents of the director.

(b) For deleterious exotic wildlife listed in subsections (1)(d)(iv) and (1)(d)(v), the "secure facility" must comply with the fencing requirements in subsection (10) unless otherwise authorized by the director in writing.

(10) Fencing requirements

(a) Perimeter fences must be, at a minimum, eight feet above ground level for their entire length. The bottom six feet must be mesh of sufficient size to prevent resident wildlife ungulates (hoofed animals) from entering and deleterious exotic wildlife from escaping. Supplemental wire required to attain a height of eight feet may be smooth, barbed, or woven wire (at least 12-1/2 gauge) with strands spaced not more than six inches apart.

(b) Perimeter fences constructed of high tensile wire must be supported by a post or stay at minimum intervals of eight feet.

(c) Perimeter fences must be at least 12-1/2 gauge woven wire, 14-1/2 gauge high-tensile woven wire, chain link, nonclimbable woven fence, or other fence approved by the director.

(i) If the wire used is not a full eight feet in height, it must be overlapped one row and securely fastened at every other vertical row or woven together with cable.

(d) Electric fencing materials may be used on perimeter fences only as a supplement to conventional fencing materials.

(e) All gates in the perimeter fences must be self-closing, equipped with two locking devices, and installed only in locations that have been approved by the director. Double gates may be required at points in the perimeter fences subject to frequent vehicle traffic that is not related to activities involving the holding of deleterious exotic wildlife.

(f) Posts used in the perimeter fences must be:

(i) Wood (pressure treated), five-inch minimum diameter or an equivalent as approved by the director;

(ii) Spaced no more than twenty-four feet apart with stays or supports at eight foot intervals between the posts;

(iii) Extended at least eight feet above ground level;

(iv) Corners braced with wood or with an equivalent material as approved by the director.

(g) Fences must be maintained at all times to prevent deleterious exotic wildlife from escaping or resident wildlife ungulates (hoofed animals) from entering the enclosure. If such animals do pass through, under, or over the fence because of any topographic feature or other conditions, the person possessing deleterious exotic wildlife must immediately supplement the fence to prevent continued passage.

(h) For any fence existing prior to February 13, 1993, a person may petition the director in writing for a variance from

the above fencing requirements. Any such petition must be filed no later than May 31, 1993 and must identify all aspects in which the existing fence does not meet the fencing requirements contained herein. On approval of the director, such person may maintain such existing fence with normal repair. However, any extension or relocation of existing fence must meet the fencing requirements contained herein.

(11) Marking requirements

(a) All live specimens of deleterious exotic wildlife except those listed in subsections (1)(a) and (1)(b), shall be permanently and individually identified by methods approved by the director,

(b) Identification assigned to an individual animal may not be transferred to any other animal.

(c) All specimens of deleterious exotic wildlife identified in subsections (1)(d)(iv) and (1)(d)(v) must be individually identified by the methods specified below.

(i) All live specimens of such deleterious exotic wildlife shall be marked with USDA Official ear tags or with ear tags supplied or approved by the department. Tags shall be applied in sequential order, and

(ii) All live specimens of such deleterious exotic wildlife shall be marked with a tattoo with an identifying number that has been recorded with the director. The tattoo must be placed on the left ear of the animal.

(d) All lawful progeny of deleterious exotic wildlife must be tagged and tattooed by December 31 of the year of birth or upon leaving the holding facility, whichever is earlier.

(e) Where allowed, if an animal is sold or transferred within the state, the tag and tattoo must accompany the animal. The new owner or possessor shall not renumber the animal.

(f) Where allowed, live specimens of deleterious exotic wildlife shall be marked prior to importation.

(g) No unmarked deleterious exotic wildlife may be sold or otherwise transferred from the holding facility.

(12) Testing of specimens

(a) Where allowed, prior to entry into the state of Washington, a person importing any member of the Genus Cervus which is identified in subsection (1)(v) herein must submit records of genetic tests, conducted by a professionally recognized laboratory to identify red deer genetic influence (genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex Cervus elaphus not indigenous to the state of Washington). Such testing shall be at the possessor's expense. Animals which are deemed by department of wildlife biologists upon examination to exhibit either: Behavioral (vocalization), morphological (size, rump patch, color) or biochemical indications of such influence (hemoglobin, superoxide dismutase, transferrin and post-transferrin, or others to be developed) may not be imported.

(b) The director may require a person currently possessing any member of the Genus Cervus which are identified in subsection (1)(v) herein to submit records of genetic tests, conducted by a professionally recognized laboratory to identify red deer genetic influence (genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex Cervus elaphus not indigenous to the state of Washington), for each individual cervid to the department. Such testing shall be at the possessor's expense. The director may require that any animal identified a red deer or having nonindigenous genetic influence be destroyed, removed from the state, or neutered.

(c) The director may require that all specimens of deleterious exotic wildlife lawfully in captivity be tested for brucellosis (brucella abortus), tuberculosis (mycobacterium bovis and mycobacterium tuberculosis), meningeal worm (Paralophostrongylus tenuis), and muscle worm (Elaphostrongylus cervis) in accordance with the procedures specified in department of agriculture WAC 16-54-035 as now or hereafter amended and/or for other disease or parasites determined to pose a risk to wildlife. The results of such tests shall be filed with the director as required.

(13) Reporting

(a) A person holding deleterious exotic wildlife in captivity shall submit a completed report no later than March 30, 1993 and then no later than January 31 of each year, or as otherwise required by the director, on a form provided by the department.

(b) Persons possessing deleterious exotic wildlife must notify the director within ten days of any change of such persons' address and/or location of the holding facility.

(14) Inspection

(a) All holding facilities for deleterious exotic wildlife located in the state are subject to inspection for compliance with the provisions of this section.

(b) Such inspections may take place without warrant or prior notice but shall be conducted at reasonable times and locations.

(15) Notification and disposition of diseased animals.

(a) Any person who has reason to believe that deleterious exotic wildlife being held pursuant to this rule have or have been exposed to a dangerous or communicable disease or parasite shall notify the department immediately.

(b) Upon having reason to believe that deleterious exotic wildlife held pursuant to this rule have been exposed to or contracted a dangerous or contagious disease or parasite, the director may order inspection of such animals by a licensed, accredited veterinarian or inspection agent. Inspection shall be at the expense of the possessor.

(c) The director shall determine when destruction of

animals, quarantine, or disinfection is required at any facility holding deleterious exotic wildlife pursuant to this rule. If the director determines that destruction, quarantine, or disinfection is required, a written order shall be issued to the possessor describing the procedure to be followed and the time period for carrying out such actions. Such activities shall be at the expense of the possessor.

(16) Quarantine area

(a) Any facility holding deleterious exotic wildlife must have an approved quarantine facility within its exterior boundary or submit an action plan to the director that guarantees access to an approved quarantine facility within the state of Washington.

(i) An approved quarantine facility is one that meets criteria set by the Washington state department of agriculture.

(ii) The quarantine area must meet the tests of isolation, separate feed and water, escape security, and allowances for the humane holding and care of its occupants for extended periods of time.

(b) Should the imposition of a quarantine become necessary, the possessor must provide an on-site quarantine facility or make arrangements at such possessor's expense to transport the animals to the approved quarantine facility named in the quarantine action plan.

(17) Seizure

(a) The department of wildlife may seize any unlawfully possessed deleterious exotic wildlife.

(b) The cost of any seizure and/or holding of deleterious exotic wildlife may be charged to the possessor of such animals.